

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF RHODE ISLAND

*Form E: Joint Status Report*  
**THREE PAGE DOCUMENT**

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In re:

David and Kimberlee Darling : BK No. 16-10367

Debtors : Chapter 7

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**JOINT LOSS MITIGATION STATUS REPORT**

Date: July 5, 2016

The Debtors requested loss mitigation as to the **first mortgage** on the real property located at 219 Perry Hill Road, Coventry, Rhode Island 02816 on April 4, 2016 with M&T Bank as serviced by Bayview Loan Servicing (the "Creditor").

The Court entered a loss mitigation order on: April 22, 2016.

The Creditor filed its contact information with the Debtors by email on June 6 2016.

The Debtor(s) submitted a loan modification application to the Creditor on May 27, 2016.

If this is a Chapter 7 case, the Debtor(s) have filed the financial management course certificate with the Court on June 1, 2016 ~~or if not yet due, will file the certificate with the Court by the due date of \_\_\_\_\_.~~

**Current Status**

Please complete one:

~~The most recent status hearing was held on \_\_\_\_\_.~~

The parties filed a proposed Consent Order (Form F) on July 5, 2016 which the Court entered in lieu of holding a status hearing.

**Actions Required:**

The Court, by post-hearing Order or entry of the parties' proposed Consent Order (Form F), required the following actions to be completed by the parties by the dates noted:

N/A
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Did the Debtor(s) comply with all ordered deadlines? N/A If No, provide a full explanation of why the deadlines were not met.

Did the Creditor comply with all ordered deadlines? N/A If No, provide a full explanation of why the deadlines were not met

Outstanding Document Request:

The following documents requested by Lender will be submitted by the Debtor(s) to the Creditor by N/A:

The Debtors provided the Creditor with additional documentation on June 21, 2016.

On June 24, 2016 the Creditor advised Debtor's Counsel that it will no longer act on reviewing the loan modification documentation as the discharge had been entered. The Debtors are considering filing a Motion to Rescind or Amend the Discharge and are otherwise attempting to reach a settlement with the Creditor.

**Expected Completion of Loss Mitigation – If Trial Plan or Loan Modification Agreed To**

Please indicate as applicable:

~~The Debtor(s) is/are currently participating in a trial payment plan period with the final trial payment scheduled to be paid on \_\_\_\_\_; OR~~

~~The parties have agreed to a permanent or temporary loan modification. \_\_\_\_\_~~

~~If a Chapter 7 case and the parties have agreed to a permanent or temporary loan modification:~~

~~The parties agree that loss mitigation can terminate as successfully completed and will file Form D by \_\_\_\_\_; or~~

~~\_\_\_\_\_ is the date by which loss mitigation can terminate as successfully completed and the parties will file Form D by \_\_\_\_\_.~~

~~If the case is pending under Chapter 13 and a loan modification has been agreed to, the parties agree to file a Motion to Approve Loan Modification by \_\_\_\_\_, and upon approval of such motion, the parties will file Form D and loss mitigation can terminate as successfully completed.~~

**Consent Order**

The parties have attached<sup>1</sup> a proposed Consent Order (Form F) setting forth agreed deadlines for further action by the parties to accompany this Status Report.

Debtors

By counsel:

/s/ Peter J. Furness

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Creditor

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<sup>1</sup> When filing the Status Report and proposed Consent Order in ECF, Form F should be filed as an attachment to Form E using the event Loss Mitigation Status Report [located under Bankruptcy>Loss Mitigation menu].